

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

PAMELA R. SMILEY,	:	Case No. 3:11-cv-413
Plaintiff,	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael J. Newman
vs.	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
Defendant.	:	

**ORDER STRIKING THE AGREED PETITION
FOR AN EAJA FEES AND COSTS AWARD (DOC. 17)**

Now before the Court is an agreed petition, filed jointly by Plaintiff's counsel and the Commissioner, for an EAJA fees and costs award. Doc. 17. Recognizing that the petition does not provide the Court with the information needed to determine either the reasonableness of the hours spent in this case or the appropriateness of the hourly fee sought, *see* 28 U.S.C. § 2412(d)(1)(B); *Satterwhite v. Comm'r of Soc. Sec.*, No. 3:11-cv-99, 2012 U.S. Dist. LEXIS 133034, 2012 WL 4108102, (S.D. Ohio Sept. 18, 2012) (Newman, M.J.), *adopted in* 2012 U.S. Dist. LEXIS 147221, 2012 WL 4857782 (S.D. Ohio, Oct. 12, 2012) (Rose, J.), the stipulation (doc. 17) is **STRICKEN**.¹ Plaintiff's counsel is afforded **FOURTEEN DAYS** from the issuance of this Order (*e.g.*, May 16, 2013) in which to file a motion including such information.

IT IS SO ORDERED.

May 2, 2013

s/ **Michael J. Newman**
United States Magistrate Judge

¹ Even where there is no objection to the requested fee, the Court is required to conduct an analysis concerning the reasonableness of the fee. *See Comm'r, Immigration & Naturalization Servs. v. Jean*, 496 U.S. 154, 161 (1990).